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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/800,685	03/16/2004	Hirofumi Hayaashi	250412US6	1638
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OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314				EXAMINER HOLLIDAY, JAIME MICHELE
				ART UNIT PAPER NUMBER 2617

DATE MAILED: 05/22/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	10/800,685	HAYAASHI ET AL.
<b>Examiner</b>	<b>Art Unit</b>	
	Jaime M. Holliday	2617

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

1)  Responsive to communication(s) filed on 28 February 2006.

2a)  This action is FINAL. 2b)  This action is non-final.

3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## **Disposition of Claims**

4)  Claim(s) 1-15 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5)  Claim(s) \_\_\_\_\_ is/are allowed.  
6)  Claim(s) 1-15 is/are rejected.  
7)  Claim(s) \_\_\_\_\_ is/are objected to.  
8)  Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

9)  The specification is objected to by the Examiner.

10)  The drawing(s) filed on 28 February 2006 is/are: a)  accepted or b)  objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)  The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12)  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a)  All    b)  Some \* c)  None of:  
1.  Certified copies of the priority documents have been received.  
2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3.  Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1)  Notice of References Cited (PTO-892)  
2)  Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3)  Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_

4)  Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_  
5)  Notice of Informal Patent Application (PTO-152)  
6)  Other: \_\_\_\_\_

***Response to Amendment***

***Response to Arguments***

1. Applicant's arguments with respect to **claims 1-15** have been considered but are moot in view of the new ground(s) of rejection.

***Priority***

2. Applicant's claim for the benefit of a prior-filed application under 35 U.S.C. 119(a)-(d) is acknowledged. Applicant has not complied with one or more conditions for receiving the benefit of an earlier filing date under 35 U.S.C. [1] as follows:

Should applicant desire to obtain the benefit of foreign priority under 35 U.S.C. 119(a)-(d) prior to declaration of an interference, a translation of the foreign application should be submitted under 37 CFR 1.55 in reply to this action.

***Claim Objections***

3. **Claim 14** is objected to because of the following informalities:
  - a) Claim 14 line 19, replace "co figured," after --is-- with "configured," to correct a typographical error.

Appropriate correction is required.

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

6. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

7. **Claims 1-15** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Suzuki (U.S. Patent # 6,612,488 B2)** in view of **Seita et al. (U.S. Patent # 6,729,550 B2)**.

Consider **claim 1**, Suzuki clearly shows and discloses a system and terminals for credit card and debit card transactions, reading on the claimed "communication system including a settlement management apparatus and a portable information terminal," (col. 3 lines 26-27). A card transaction terminal, reading on the claimed "settlement management apparatus," in a credit/debit card member store,

stores information for recognizing a credit card user in a database capable of being accessed by a host computer to which said card transaction terminal is connectable, reading on the claimed "storage controller configured to store identification information," (col. 3 lines 32-35); includes a main controller connected with a card reader and a second communication component, connected with said main controller, for establishing a wireless connection with a portable terminal device in which the cardholder's identity information is stored, reading on the claimed "storage controller configured to store, if said judging means decides that the identification information is valid, the identification information in said portable information terminal," (col. 5 lines 7-14), wherein the second communication component allows the card transaction terminal to control the portable terminal device storing information.

verifies a credit card user as the authentic cardholder on the basis of validation and identification information, reading on the claimed "judging means for judging whether or not identification information assigned to a user of said

portable information terminal and used for predetermined settlement is valid for using credit services which the user uses," (col. 3 lines 42-44),

wherein a portable communication terminal device capable of being used for credit card authorization, reading on the claimed "portable information terminal," (col. 4 lines 49-51), includes:

a wireless communication component for sending and receiving wireless signals for transmitting information through a public communication network and a memory, for storing information relating to said credit card, in which information as the card number, cardholder name, and expiration date resides, reading on the claimed "identification provided in a credit card issued from an issuer providing the credit service," therein and connected to a main controller which is constituted to be able to control the sending of the information for verifying that said credit card user is the bona fide cardholder, along with said information relating to the transaction, through said wireless communication component, reading on the claimed "storing means for transmitting the identification information and for storing the identification information including a card ID corresponding to the IC chip," (col. 4 lines 49-54 and 57-59, col. 6 lines 38-40). User validation may be a method of checking a recorded PIN with PIN input through cellular phone **100**. A credit card user receives a transaction number, received from the transaction terminal, through cellular phone communication component **310** of transaction terminal **300**, and transaction terminal communication component **110** of cellular phone **100**, reading on the claimed

"settlement management apparatus and portable information terminal," (col. 9 lines 59-61 and col. 10 lines 13-18). When the PIN check is successful, a process completion number is issued by user validation processor **122** in main controller **420** of transaction authorization computer **400** (host computer) and is sent to cellular phone. Finally, the transaction completion number received from transaction authorization computer is reported to transaction terminal and the card user's transaction is complete. Afterward, when the user must decide whether to store this transaction information and chooses to do so, transaction information pertaining to the card, such as the credit card member store name, amount paid by card, settlement number, and settlement completion number can also be stored, in a memory, for storing information relating to the credit card, reading on the claimed "storing the identification information including a card ID corresponding to the IC chip based on an instruction issued by said settlement management apparatus if it is confirmed that the identification information is valid, said storing means including a memory manager means for storing the card ID and an associated registered service information in a common area of a memory, wherein said common area is configured to store information other than service provider provided information," (col. 4 lines 58-59, col. 10 lines 48-51 and 54-62), wherein the receipt of the transaction complete number is the instruction to possibly store transaction information.

However, Suzuki does not specifically disclose that the portable communication device, reading on the claimed "portable information terminal," includes a wireless reader for reading information off of a credit card.

In the same field of endeavor, Seita et al. clearly show and disclose a password corresponding to an IC card or a service is stored or registered in a terminal apparatus provided with a preferably contactless IC card section having a read/write function. A portable telephone apparatus **100** is an example of portable terminal apparatus having a contactless IC card function, reading on the claimed "wireless communication device," (abstract, col. 3 lines 36-38). The portable telephone apparatus includes a control section, a digital signal processing section, a display section, an operation section, an external I/F section, and a contactless IC card section being connected to the control section. The control section is a main section for realizing the functions of the portable telephone apparatus, and it may include a CPU, an EEPROM, a Flash ROM, an SRAM. The control section in the present embodiment includes a card interface module that transmits and/or receives commands and/or data between the section and the contactless IC card section. The contactless IC card section (as a contactless card is typically realized in form of an integrated circuit, the description hereinafter refers to the card as "IC card") is provided with an exclusive CPU, a Flash ROM (referred to as "MEM" in FIG. 1) that includes a data-retaining nonvolatile memory, a program and the like, a reader/writer (R/W) module, an interfaces (not shown) and so on. The contactless IC card section

transmits and receives data between the card section and an external terminal (or an IC card of similar type) capable of performing radio communication with the contactless IC card section by way of an antenna, reading on the claimed "wireless reader configured to read the identification information from a contactless IC chip, said wireless reader including wireless communication means for wireless acquisition of the identification information directly from the IC chip including a wireless communication device," (col. 3 lines 36-54, col. 4 lines 26-39).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to provide a contactless IC card function to a mobile phone as taught by Seita et al. in the system and terminals for credit card and debit card transactions of Suzuki, in order to securely make credit card transactions.

Consider **claim 2**, Suzuki clearly shows and discloses a system and terminals for credit card and debit card transactions, reading on the claimed "communication system including a settlement management apparatus and a portable information terminal," (col. 3 lines 26-27). A card transaction terminal, reading on the claimed "settlement management apparatus," in a credit/debit card member store,

stores information for recognizing a credit card user in a database capable of being accessed by a host computer to which said card transaction terminal is connectable, reading on the claimed "storage controller configured to store

identification information," (col. 3 lines 32-35); includes a main controller connected with a card reader and a second communication component, connected with said main controller, for establishing a wireless connection with a portable terminal device in which the cardholder's identity information is stored, reading on the claimed "storage controller configured to store the identification information in said portable information terminal if said judging means decides that the identification information is valid," (col. 5 lines 7-14), wherein the second communication component allows the card transaction terminal to control the portable terminal device storing information.

verifies a credit card user as the authentic cardholder on the basis of validation and identification information, reading on the claimed "judging means for judging whether or not identification information assigned to a user of said portable information terminal and used for predetermined settlement is valid for using credit services which the user uses," (col. 3 lines 42-44),

wherein a portable communication terminal device capable of being used for credit card authorization, reading on the claimed "portable information terminal," (col. 4 lines 49-51), includes:

a wireless communication component for sending and receiving wireless signals for transmitting information through a public communication network and a memory, for storing information relating to said credit card, in which information as the card number, cardholder name, and expiration date resides, reading on the claimed "identification provided in a credit card issued from an issuer

providing the credit service," therein and connected to a main controller which is constituted to be able to control the sending of the information for verifying that said credit card user is the bona fide cardholder, along with said information relating to the transaction, through said wireless communication component, reading on the claimed "transmitter configured to transmit user identifying information, according to which a user is identified, to said settlement management apparatus," (col. 4 lines 49-54 and 57-59, col. 6 lines 38-40); and a user validation may be a method of checking a recorded PIN with PIN input through cellular phone **100**. A credit card user receives a transaction number, received from the transaction terminal, through cellular phone communication component **310** of transaction terminal **300**, and transaction terminal communication component **110** of cellular phone **100**, reading on the claimed "settlement management apparatus and portable information terminal," (col. 9 lines 59-61 and col. 10 lines 13-18). When the PIN check is successful, a process completion number is issued by user validation processor **122** in main controller **420** of transaction authorization computer **400** (host computer) and is sent to cellular phone. Finally, the transaction completion number received from transaction authorization computer is reported to transaction terminal and the card user's transaction is complete. Afterward, when the user must decide whether to store this transaction information and chooses to do so, transaction information pertaining to the card, such as the credit card member store name, amount paid by card, settlement number, and settlement completion number can

also be stored, reading on the claimed "storing means for storing the identification information including a card ID corresponding to the IC chip provided by said settlement management apparatus if the identification information managed by said settlement management apparatus in such a way as to be associated with the user identifying information transmitted by said transmitter is decided to be valid, said storing means including a memory manager means for storing the card ID and an associated registered service information in a common area of a memory, wherein said common area is configured to store information other than service provider provided information" (col. 10 lines 48-51 and 54-62).

However, Suzuki does not specifically disclose that the portable communication device, reading on the claimed "portable information terminal," includes a wireless reader for reading information off of a credit card.

In the same field of endeavor, Seita et al. clearly show and disclose a password corresponding to an IC card or a service is stored or registered in a terminal apparatus provided with a preferably contactless IC card section having a read/write function. A portable telephone apparatus **100** is an example of portable terminal apparatus having a contactless IC card function, reading on the claimed "wireless communication device," (abstract, col. 3 lines 36-38). The portable telephone apparatus includes a control section, a digital signal processing section, a display section, an operation section, an external I/F section, and a contactless IC card section being connected to the control section.

The control section is a main section for realizing the functions of the portable telephone apparatus, and it may include a CPU, an EEPROM, a Flash ROM, an SRAM. The control section in the present embodiment includes a card interface module that transmits and/or receives commands and/or data between the section and the contactless IC card section. The contactless IC card section (as a contactless card is typically realized in form of an integrated circuit, the description hereinafter refers to the card as "IC card") is provided with an exclusive CPU 21, a Flash ROM (referred to as "MEM" in FIG. 1) that includes a data-retaining nonvolatile memory, a program and the like, a reader/writer (R/W) module 23, an interfaces (not shown) and so on. The contactless IC card section transmits and receives data between the card section and an external terminal (or an IC card of similar type) capable of performing radio communication with the contactless IC card section by way of an antenna, reading on the claimed "wireless reader configured to read the identification information from a contactless IC chip, said wireless reader including wireless communication means for wireless acquisition of the identification information directly from the IC chip including a wireless communication device," (col. 3 lines 36-54, col. 4 lines 26-39).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to provide a contactless IC card function to a mobile phone as taught by Seita et al. in the system and terminals for credit

card and debit card transactions of Suzuki, in order to securely make credit card transactions.

Consider **claim 3**, Suzuki clearly shows and discloses a card transaction terminal, reading on the claimed "settlement management apparatus," in a credit/debit card member store, includes a main controller connected with a card reader and a second communication component, connected with said main controller, for establishing a wireless connection with a portable terminal device in which the cardholder's identity information is stored, reading on the claimed "settlement apparatus configured to communicate with a portable information terminal including wireless communication means for wireless acquisition of identification information," (col. 5 lines 7-14),

stores information for recognizing a credit card user in a database capable of being accessed by a host computer to which said card transaction terminal is connectable, reading on the claimed "storage controller configured to store identification information," (col. 3 lines 32-35), wherein a credit card includes information such as the card number, cardholder name, and expiration date, (col. 6 lines 38-40); includes a main controller connected with a card reader and a second communication component, connected with said main controller, for establishing a wireless connection with a portable terminal device in which the cardholder's identity information is stored, reading on the claimed "storage configured to store the identification information including a card ID corresponding to the IC chip and an associated registered service in a common

area of a memory of said portable information terminal if said judging means decides that the identification information is valid, wherein said common area is configured to store information other than service provider provided information," (col. 5 lines 7-14), wherein the second communication component allows the card transaction terminal to control the portable terminal device storing information.

verifies a credit card user as the authentic cardholder on the basis of validation and identification information, reading on the claimed "judging means for judging whether the identification information obtained from the wireless communications of the IC chip, assigned to a user of said portable information terminal and used for predetermined settlement is valid for using credit services which the user uses," (col. 3 lines 42-44).

However, Suzuki does not specifically disclose that the portable communication device, reading on the claimed "portable information terminal," communicates with a contactless IC chip.

In the same field of endeavor, Seita et al. clearly show and disclose a portable telephone apparatus is an example of portable terminal apparatus having a contactless IC card function, reading on the claimed "portable terminal apparatus," (abstract, col. 3 lines 36-38). The portable telephone apparatus includes a contactless IC card section that transmits and receives data between the card section and an external terminal (or an IC card of similar type) capable of performing radio communication with the contactless IC card section by way of

an antenna, reading on the claimed “contactless IC chip including wireless communications,” (col. 3 lines 36-54, col. 4 lines 26-39).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to provide a contactless IC card function to a mobile phone as taught by Seita et al. in the system and terminals for credit card and debit card transactions of Suzuki, in order to securely make credit card transactions.

Consider **claim 4**, Suzuki, as modified by Seita et al., clearly shows and discloses the claimed invention **as applied to claim 3 above**, and in addition, Suzuki further discloses a card transaction terminal, reading on the claimed “settlement management apparatus,” in a credit/debit card member store, includes a card reader **340** that reads the information about a credit card from a magnetic stripe or a memory chip embedded in the card, reading on the claimed “IC chip provided in a credit card,” (col. 7 lines 61-63). When cellular phone is used only as an input device for user validation, without credit card information stored in the cellular phone, the card information can be transferred to transaction terminal by reading the credit card **200** with the card reader in the card transaction terminal at the member store, then the transaction terminal transfers the card number information and purchase amount information to the transaction authorization computer **400**, and requests credit administration, reading on the claimed “judging means decides whether the identification information read and provided through wireless communication from an IC chip

provided in a credit card issued by an issuer for providing the credit services is valid," (col. 9 lines 24-33).

Consider **claim 5**, Suzuki, as modified by Seita et al., clearly shows and discloses the claimed invention **as applied to claim 3 above**, and in addition, Suzuki further discloses that the cellular phone, that stores information for the credit card, exchanges card information data or the like through wireless transfer to the transaction terminal, which then transfers the card number information and purchase amount information to the transaction authorization computer. The transaction authorization computer searches the database that stores information for validating a credit card user, reading on the claimed "manager configured to manage the identification information in such a way as to be associated with user identifying information according to which the user is identified," for the received card information, (col. 4 lines 22-23 and col.9 lines 6-10, 30-32 and 41-42), reading on the claimed "judging means associates the identification information with the user identifying information transmitted from said portable information terminal and decides whether or not the identification information managed by said manager is valid."

Consider **claims 6 and 7**, Suzuki clearly shows and discloses a method and system for authorizing credit/debit card transactions, reading on the claimed "settlement management method and instructions that cause a computer to implement a method of settlement management," (col. 3 lines 45-46). A card transaction terminal in a credit/debit card member store,

verifies a credit card user as the authentic cardholder on the basis of validation and identification information, reading on the claimed "judging whether the obtained identification information assigned to a user of a portable information terminal and used for predetermined settlement is valid for using credit services which the user uses," (col. 3 lines 42-44),

wherein a portable communication terminal device capable of being used for credit card authorization, reading on the claimed "portable information terminal," (col. 4 lines 49-51), selects a user validation method of checking a recorded PIN with PIN input through cellular phone **100**. A credit card user receives a transaction number, received from the transaction terminal, through cellular phone communication component **310** of transaction terminal **300**, and transaction terminal communication component **110** of cellular phone **100** (col. 9 lines 59-61 and col. 10 lines 13-18). When the PIN check is successful, a process completion number is issued by user validation processor **122** in main controller **420** of transaction authorization computer **400** (host computer) and is sent to cellular phone. Finally, the transaction completion number received from transaction authorization computer is reported to transaction terminal and the card user's transaction is complete. Afterward, when the user must decide whether to store this transaction information and chooses to do so, transaction information pertaining to the card, in which information as the card number, cardholder name, and expiration date resides, such as the credit card member store name, amount paid by card, settlement number, and settlement completion

number can also be stored, reading on the claimed "storing the identification information including a card ID corresponding to the IC chip in a common area of in said portable information terminal if it is decided in said judging step that the identification information is valid, wherein said common area is configured to store information other than service provider provided information," (col. 6 lines 38-40, col. 10 lines 48-51 and 54-62).

However, Suzuki does not specifically disclose that the portable communication device, reading on the claimed "portable information terminal," communicates with a contactless IC chip.

In the same field of endeavor, Seita et al. clearly show and disclose a portable telephone apparatus is an example of portable terminal apparatus having a contactless IC card function, reading on the claimed "portable terminal apparatus," (abstract, col. 3 lines 36-38). The portable telephone apparatus includes a contactless IC card section that transmits and receives data between the card section and an external terminal (or an IC card of similar type) capable of performing radio communication with the contactless IC card section by way of an antenna, reading on the claimed "wirelessly obtaining identification information from a contactless IC chip including wireless communication device," (col. 3 lines 36-54, col. 4 lines 26-39).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to provide a contactless IC card function to a mobile phone as taught by Seita et al. in the system and terminals for credit

card and debit card transactions of Suzuki, in order to securely make credit card transactions.

Consider **claim 8**, Suzuki clearly shows and discloses terminals for credit card and debit card transactions wherein a portable communication terminal device capable of being used for credit card authorization, reading on the claimed "portable information terminal," (col. 4 lines 49-51), includes:

a wireless communication component for sending and receiving wireless signals for transmitting information through a public communication network and a memory, for storing information relating to said credit card, in which information as the card number, cardholder name, and expiration date resides, reading on the claimed "identification provided in a credit card issued from an issuer providing the credit service," therein and connected to a main controller which is constituted to be able to control the sending of the information for verifying that said credit card user is the bona fide cardholder, along with said information relating to the transaction, through said wireless communication component, reading on the claimed "storing means for transmitting the identification information and for storing the identification information," (col. 4 lines 49-54 and 57-59, col. 6 lines 38-40). User validation may be a method of checking a recorded PIN with PIN input through cellular phone **100**. A credit card user receives a transaction number, received from the transaction terminal, through cellular phone communication component **310** of transaction terminal **300**, and transaction terminal communication component **110** of cellular phone **100**,

reading on the claimed "settlement management apparatus and portable information terminal," (col. 9 lines 59-61 and col. 10 lines 13-18). When the PIN check is successful, a process completion number is issued by user validation processor **122** in main controller **420** of transaction authorization computer **400** (host computer) and is sent to cellular phone. Finally, the transaction completion number received from transaction authorization computer is reported to transaction terminal and the card user's transaction is complete. Afterward, when the user must decide whether to store this transaction information and chooses to do so, transaction information pertaining to the card, such as the credit card member store name, amount paid by card, settlement number, and settlement completion number can also be stored, reading on the claimed "storing the identification information based on an instruction issued by said settlement management apparatus if it is confirmed that the identification information is valid," (col. 10 lines 48-51 and 54-62), wherein the receipt of the transaction complete number is the instruction to possibly store transaction information.

However, Suzuki does not specifically disclose that the portable communication device, reading on the claimed "portable information terminal," includes a reader for reading information off of a credit card.

In the same field of endeavor, Seita et al. clearly show and disclose a portable telephone apparatus is an example of portable terminal apparatus having a contactless IC card function, reading on the claimed "portable terminal

apparatus," (abstract, col. 3 lines 36-38). The portable telephone apparatus includes a contactless IC card section that transmits and receives data between the card section and an external terminal (or an IC card of similar type) capable of performing radio communication with the contactless IC card section by way of an antenna, reading on the claimed "portable information terminal comprises a reader for configured to read identification information, which is assigned to a user and used for predetermined settlement, from an IC chip provided in a credit card issued from an issuer providing credit services which the user uses, through wireless communication," (col. 3 lines 36-54, col. 4 lines 26-39).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to provide a contactless IC card function to a mobile phone as taught by Seita et al. in the system and terminals for credit card and debit card transactions of Suzuki, in order to securely make credit card transactions.

Consider **claim 9**, Suzuki, as modified by Seita et al., clearly shows and disclose the claimed invention **as applied to claim 8 above**, and in addition, Suzuki further discloses a provides a portable communication terminal, reading on the claimed "portable information terminal," device capable of being used for credit card authorization which includes a card transaction terminal communication component that is configured to be able to receive information relating to the settlement from the card transaction terminal in the credit card member store, reading on the claimed "acquisition means for acquiring a

predetermined application provided from said settlement management apparatus," (col. 4 lines 49-51 and 61-64); and

an encryption device may be provided in cellular phone to increase security during transmission of a PIN, reading on the claimed "controller, implemented by the application acquired by said acquisition means, configured to control encrypting or decoding of communication performed between said settlement management apparatus and said terminal," (col. 10 lines 45-47).

Consider **claims 10 and 11**, Suzuki clearly shows and discloses information processing during transmission of card information can be simply carried out without requiring a wired connection between the cellular phone and transaction terminal, reading on the claimed "information processing method," (col. 9 lines 21-24). Suzuki further discloses a method for authorizing credit/debit card transactions, reading on the claimed "method and instructions to cause a computer to implement a method of settlement management," (col. 3 lines 45-46), that includes:

a wireless communication component for sending and receiving wireless signals for transmitting information through a public communication network and a memory, for storing information relating to said credit card therein and connected to a main controller which is constituted to be able to control the sending of the information for verifying that said credit card user is the bona fide cardholder, along with said information relating to the transaction, through said wireless communication component, reading on the claimed "transmitting the

identification information read in said reading step to a settlement management apparatus, which manages settlement to be performed according to the identification information," (col. 4 lines 49-54 and 57-59). User validation may be a method of checking a recorded PIN with PIN input through cellular phone 100. A credit card user receives a transaction number, received from the transaction terminal, through cellular phone communication component 310 of transaction terminal 300, and transaction terminal communication component 110 of cellular phone 100, reading on the claimed "settlement management apparatus and portable information terminal," (col. 9 lines 59-61 and col. 10 lines 13-18). When the PIN check is successful, a process completion number is issued by user validation processor 122 in main controller 420 of transaction authorization computer 400 (host computer) and is sent to cellular phone. Finally, the transaction completion number received from transaction authorization computer is reported to transaction terminal and the card user's transaction is complete. Afterward, when the user must decide whether to store this transaction information and chooses to do so, transaction information pertaining to the card, such as the credit card member store name, amount paid by card, settlement number, and settlement completion number can also be stored, reading on the claimed "storing the identification information based on an instruction issued by said settlement management apparatus if it is confirmed that the identification information is valid," (col. 10 lines 48-51 and 54-62).

However, Suzuki does not specifically disclose that the portable communication device reads information off of an IC chip provided in a credit card.

In the same field of endeavor, Seita et al. clearly show and disclose a portable telephone apparatus is an example of portable terminal apparatus having a contactless IC card function, reading on the claimed "portable terminal apparatus," (abstract, col. 3 lines 36-38). The portable telephone apparatus includes a contactless IC card section that transmits and receives data between the card section and an external terminal (or an IC card of similar type) capable of performing radio communication with the contactless IC card section by way of an antenna, reading on the claimed "reading identification information, which is assigned to a user and used for predetermined settlement, from an IC chip, through wireless communication," (col. 3 lines 36-54, col. 4 lines 26-39).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to provide a contactless IC card function to a mobile phone as taught by Seita et al. in the system and terminals for credit card and debit card transactions of Suzuki, in order to securely make credit card transactions.

Consider **claim 12**, Suzuki clearly shows and discloses a terminals for credit card and debit card transactions, such as a card transaction terminal, reading on the claimed "settlement management apparatus," in a credit/debit card member store, and a portable communication terminal device capable of

being used for credit card authorization, reading on the claimed "portable information terminal," (col. 4 lines 49-51), includes:

a wireless communication component for sending and receiving wireless signals for transmitting information through a public communication network and a memory, for storing information relating to said credit card, in which information as the card number, cardholder name, and expiration date resides, reading on the claimed "identification provided in a credit card issued from an issuer providing the credit service," therein and connected to a main controller which is constituted to be able to control the sending of the information for verifying that said credit card user is the bona fide cardholder, along with said information relating to the transaction, through said wireless communication component, reading on the claimed "a transmitter configured to transmit user identifying information, according to which a user is identified, to a settlement management apparatus, which manages settlement to be performed according to identification information assigned to the user by using predetermined credit services which the user uses," (col. 4 lines 49-54 and 57-59, col. 6 lines 38-40); and

a user validation may be a method of checking a recorded PIN with PIN input through cellular phone **100**. A credit card user receives a transaction number, received from the transaction terminal, through cellular phone communication component **310** of transaction terminal **300**, and transaction terminal communication component **110** of cellular phone **100**, reading on the claimed "settlement management apparatus and portable information terminal,"

(col. 9 lines 59-61 and col. 10 lines 13-18). When the PIN check is successful, a process completion number is issued by user validation processor 122 in main controller 420 of transaction authorization computer 400 (host computer) and is sent to cellular phone. Finally, the transaction completion number received from transaction authorization computer is reported to transaction terminal and the card user's transaction is complete. Afterward, when the user must decide whether to store this transaction information and chooses to do so, transaction information pertaining to the card, such as the credit card member store name, amount paid by card, settlement number, and settlement completion number can also be stored, reading on the claimed "storing means for storing the identification information including a card ID corresponding to the IC chip provided by said settlement management apparatus if the identification information managed by said settlement management apparatus in such a way as to be associated with the user identifying information transmitted by said transmitter is decided to be valid, said means for storing including a memory manager means for storing the card ID and an associated registered service information in a common area of a memory, wherein said common area is configured to store information other than service provider provided information," (col. 10 lines 48-51 and 54-62).

However, Suzuki does not specifically disclose that the portable communication device, reading on the claimed "portable information terminal," includes a wireless reader for reading information off of a credit card.

In the same field of endeavor, Seita et al. clearly show and disclose a password corresponding to an IC card or a service is stored or registered in a terminal apparatus provided with a preferably contactless IC card section having a read/write function. A portable telephone apparatus **100** is an example of portable terminal apparatus having a contactless IC card function, reading on the claimed "wireless communication device," (abstract, col. 3 lines 36-38). The portable telephone apparatus includes a control section, a digital signal processing section, a display section, an operation section, an external I/F section, and a contactless IC card section being connected to the control section. The control section is a main section for realizing the functions of the portable telephone apparatus, and it may include a CPU, an EEPROM, a Flash ROM, an SRAM. The control section in the present embodiment includes a card interface module that transmits and/or receives commands and/or data between the section and the contactless IC card section. The contactless IC card section (as a contactless card is typically realized in form of an integrated circuit, the description hereinafter refers to the card as "IC card") is provided with an exclusive CPU 21, a Flash ROM (referred to as "MEM" in FIG. 1) that includes a data-retaining nonvolatile memory, a program and the like, a reader/writer (R/W) module 23, an interfaces (not shown) and so on. The contactless IC card section transmits and receives data between the card section and an external terminal (or an IC card of similar type) capable of performing radio communication with the contactless IC card section by way of an antenna, reading on the claimed

"wireless reader configured to read the identification information from a contactless IC chip, said wireless reader including wireless communication means for wireless acquisition of the identification information directly from the IC chip including a wireless communication device," (col. 3 lines 36-54, col. 4 lines 26-39).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to provide a contactless IC card function to a mobile phone as taught by Seita et al. in the system and terminals for credit card and debit card transactions of Suzuki, in order to securely make credit card transactions.

Consider **claim 13**, Suzuki, as modified by Seita et al., clearly shows and discloses the claimed invention **as applied to claim 12 above**, and in addition, Suzuki further discloses a provides a portable communication terminal, reading on the claimed "portable information terminal," device capable of being used for credit card authorization which includes a card transaction terminal communication component that is configured to be able to receive information relating to the settlement from the card transaction terminal in the credit card member store, reading on the claimed "acquisition means for acquiring a predetermined application provided from said settlement management apparatus," (col. 4 lines 49-51 and 61-64); and

an encryption device may be provided in cellular phone to increase security during transmission of a PIN, reading on the claimed "controller,

implemented by the application acquired by said acquisition means, configured to control encrypting or decoding of communication performed between said settlement management apparatus and said terminal," (col. 10 lines 45-47).

Consider **claims 14 and 15**, Suzuki clearly shows and discloses information processing during transmission of card information can be simply carried out without requiring a wired connection between the cellular phone and transaction terminal, reading on the claimed "information processing method," (col. 9 lines 21-24). Suzuki further discloses a method for authorizing credit/debit card transactions, reading on the claimed "method and instructions that cause a computer to implement a method of settlement management," (col. 3 lines 45-46), that includes:

a wireless communication component for sending and receiving wireless signals for transmitting information through a public communication network and a memory, for storing information relating to said credit card, in which information as the card number, cardholder name, and expiration date resides, reading on the claimed "identification provided in a credit card issued from an issuer providing the credit service," therein and connected to a main controller which is constituted to be able to control the sending of the information for verifying that said credit card user is the bona fide cardholder, along with said information relating to the transaction, through said wireless communication component, reading on the claimed "transmitting the identification information read in said reading step to a settlement management apparatus, which manages settlement

to be performed according to the identification information," (col. 4 lines 49-54 and 57-59, col. 6 lines 38-40). User validation may be a method of checking a recorded PIN with PIN input through cellular phone 100. A credit card user receives a transaction number, received from the transaction terminal, through cellular phone communication component 310 of transaction terminal 300, and transaction terminal communication component 110 of cellular phone 100, reading on the claimed "settlement management apparatus and portable information terminal," (col. 9 lines 59-61 and col. 10 lines 13-18). When the PIN check is successful, a process completion number is issued by user validation processor 122 in main controller 420 of transaction authorization computer 400 (host computer) and is sent to cellular phone. Finally, the transaction completion number received from transaction authorization computer is reported to transaction terminal and the card user's transaction is complete. Afterward, when the user must decide whether to store this transaction information and chooses to do so, transaction information pertaining to the card, such as the credit card member store name, amount paid by card, settlement number, and settlement completion number can also be stored, reading on the claimed "storing the identification information including a card ID corresponding to the IC chip, provided by said settlement management apparatus if the identification information managed by said settlement management apparatus in such a way as to be associated with the user identifying information transmitted in said transmitting step is decided to be valid, wherein the storing the identification

information stores the identification information including a card ID corresponding to contactless IC chip, in a common area of a memory of said portable information terminal if it is decided in said judging step that the identification information is valid, wherein said common area is configured to store information other than service provider information," (col. 10 lines 48-51 and 54-62).

However, Suzuki does not specifically disclose that the portable communication device wirelessly reads information off of an IC chip.

In the same field of endeavor, Seita et al. clearly show and disclose a portable telephone apparatus is an example of portable terminal apparatus having a contactless IC card function, reading on the claimed "portable terminal apparatus," (abstract, col. 3 lines 36-38). The portable telephone apparatus includes a contactless IC card section that transmits and receives data between the card section and an external terminal (or an IC card of similar type) capable of performing radio communication with the contactless IC card section by way of an antenna, reading on the claimed "wirelessly reading information, which is assigned to a user and used for predetermined settlement, from a contactless IC chip, through wireless communication," (col. 3 lines 36-54, col. 4 lines 26-39).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to provide a contactless IC card function to a mobile phone as taught by Seita et al. in the system and terminals for credit card and debit card transactions of Suzuki, in order to securely make credit card transactions.

***Conclusion***

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jaime M. Holliday whose telephone number is (571) 272-8618. The examiner can normally be reached on Monday through Friday 7:30am to 4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Feild can be reached on (571) 272-4090. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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NICK CORSARO  
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